

HCS SB 867 -- POLITICAL SUBDIVISIONS

SPONSOR: Sater

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Local Government by a vote of 8 to 1. Voted "Do Pass with HCS" by the Select Committee on State and Local Governments by a vote of 9 to 0.

This bill changes laws regarding political subdivisions.

FIRE PROTECTION DISTRICTS IN ST. LOUIS COUNTY (Section 72.418, RSMo)

Currently, in St. Louis County, when a fire protection district services an area annexed by a city with a municipal fire department, the fire protection district continues to provide fire protection and emergency medical services to the area, the city pays to the fire protection district an amount equal to that which the fire protection district would have levied in the annexed area, and the annexed area is not subject to taxation by the fire protection district except for bonded indebtedness incurred prior to the annexation.

This bill specifies that for property within a fire protection district that is annexed by a city after the effective date of the bill, the fire protection district must continue to provide services to the annexed area, and the annexed property must continue to be subject to taxation by the fire protection district and not to the city for fire protection and emergency medical services.

For property within a fire protection district that was annexed by a city prior to the effective date of the bill, the fire protection district must continue to provide services to the annexed area.

The amount that the city must pay to the fire protection district must be incrementally decreased over 10 years, and the amount the annexed area must pay to the fire protection district must be incrementally increased over 10 years. After the 10 year phase in, the annexed area must pay all taxes levied by the fire protection district and the city will not pay anything. The annexed area must not be subject to taxation by the city for fire protection and emergency medical services.

In the event the validity of the changes in this section are challenged in court, the provisions of this section prior to August 28, 2016, must continue to apply during the pendency of the legal action.

COUNTY SHELTERED WORKSHOPS AND TAX INCREMENT FINANCING (Section 99.845)

The bill prohibits the adoption of any tax increment financing project or plan from superseding, altering, or reducing a sheltered workshop property tax levy.

COUNTY ASSESSMENT OF PROPERTY TAX ON MINES (Section 137.115)

The bill specifies that any real property that is available for mining but has not been bonded or permitted for such mining activity shall be assessed according to how the real property is currently being used. Any information provided to a county assessor or other public entity which administers tax policies that is by law declared to be confidential, including individual taxpayer information and a specific taxpayer's mine property, shall not be disclosed.

ROAD DISTRICTS (Sections 137.565, 233.180, and 233.295)

This bill changes the qualification to serve as a commissioner on a special road district from a voter in the district to any registered voter in the county in which the district is located who is also a land owner in the district.

The bill also authorizes a county commission to combine two or more road districts within the county upon petition request by a majority of the commissioners in each of the road districts seeking to be combined. The county commission must hold a public hearing after publishing notice for a period of four weeks in a newspaper of general circulation in the county. The county may issue an order to consolidate the districts if it finds, after the public hearing, that the consolidation is in the public good. The bill also designates the procedure for appointing commissioners to the new consolidated district and transferring of assets, liabilities, and tax levies. The provisions for consolidation do not apply to road districts located in two counties.

FIRE PROTECTION DISTRICT SALES TAX (Section 321.553)

Fire protection districts to which Section 72.418 applies are authorized to impose, upon voter approval, a sales tax of up to 0.5% for the purpose of providing revenues for the operation of the fire protection district, with a property tax rollback.

LIMITED LIABILITY COMPANIES IN KANSAS CITY (Section 347.048)

Currently, limited liability companies in Kansas City that own or

rent real property or own unoccupied property within the city are required to file an affidavit with the city clerk specifying the name and address of a person with management control or responsibility for the real property. This bill clarifies that it must be a street address and must be a natural person.

The limited liability company must file a successor affidavit within 30 days of a change in the natural person with management control or responsibility for the real property.

The city cannot charge a fee for the filing of the affidavit or successor affidavit.

If a limited liability company fails or refuses to file the affidavit, any person adversely affected by the failure or refusal, or the city, may petition the circuit court in the county where the property is located to direct the completion and filing of the affidavit.

PROPOSERS: Supporters say that allowing the road districts to consolidate would result in a better utilization of their collective resources.

Testifying for the bill was Representative Hinson on behalf of Senator Sater.

OPPOSERS: There was no opposition voiced to the committee.